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HCR 138
REQUESTING THE DEVELOPMENT OF AN
AIR AND WATER QUALITY MANAGEMENT PLAN
BY THE DEPARTMENT OF HEALTH

Statement for
House Committees on
Planning, Energy and Environmental Protection
and Health
Public Hearing - March 30, 1989

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HCR 138 requests the department of health to develop an air and water quality management plan.

The concerns and issues expressed in the various "whereas" clauses are quite valid and we concur with the general tone and rationale expressed. However, we do have reservations about the need for this resolution and in particular the specific directives listed in the various "Be It Resolved" paragraphs.

As presently drafted, the first "Be It Further Resolved" paragraph includes several "elements" that are poorly defined. For example, item (1) requests a discussion of existing air and water quality but does not indicate whether this is to be coastal water quality, ground water quality, or stream quality, nor if it is to apply statewide or only to certain areas. It is our understanding that the Department of Health presently has both Air and Coastal Water Quality Management Plans, and that the Water Commission, in accordance with the State Water Code, is preparing stream and groundwater quality plans.

Elements 2 and 3 relating to historical data and existing standards are already available. As for element (4), "carrying capacity", we continue to have reservations about the use of this term in the context of developing air and water quality management plans. Carrying capacity is a term originally developed for dealing with agricultural uses of lands and

animals. To use the term for air quality or water quality management purposes for humans requires that subjective values be assigned to certain conditions of air quality and water quality. The present air and water quality standards have been developed in consideration of these values and uses and we believe that the issue is more appropriately covered by the term "standards" not "carrying capacity".

The real essence of this resolution is found in Element (5), "Alternative mechanisms for managing the rate of deterioration of air and water quality;...." What appears to be lacking from present management plans is a mechanism for evaluating and managing the long term changes or rates of changes in air and water quality and for linking these changes to population and development plans. The present management practices provide little guidance to the development of management or mitigative strategies that address the cumulative rate at which pollutants are entering the water or atmosphere. Management plans that are concerned with rates of discharges of pollutants are important not only from the environmental perspective but equally from the planning/economic development perspective. If cumulative pollutant levels eventually result in exceedance of standards, contributors will be forced to take mitigative action and no new sources will be allowed, therefore precluding future development in the affected areas.

If this resolution is to be passed, we suggest that the "Be It Resolved" paragraph be ammended to request the Department of Health to develop mechanisms for managing the rate of deterioration of air and water quality; and that the first "Be It Further Resolved" paragraph be amended to direct the DOH to use, as necessary, data on existing air and water quality, historical trends in air and water quality, and existing air and water quality standards in developing these mechanisms for managing the rate of deterioration of air and water quality.

The second "Be It Further Resolved" paragraph directs the DOH to convene an air and water quality management committee composed of designated professionals with specific expertise and experience in air and water quality fields to assist in the preparation of this plan. However, we note that the DOH already has a water quality advisory committee and has had a similar air quality advisory committee in the past. We believe that two committees would be needed as those with expertise in air quality issues may not be as knowledgeable about water quality problems and vice-a-versa. If this resolution is passed, we urge that the air quality standards committee be reactivated and the existing water quality advisory committee be given the responsibility of carrying out their respective portions of the resolution. We believe that funds will be necessary to comply with the directives of this resolution.

We will be pleased to cooperate with the Department of Health in the development of the plan if this resolution is passed.